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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 KEITH A. SOMERS,

11 Plaintiff,

No. CIV S-05-0741 MCE EFB P

12 vs.

13 BPT COMMISSIONER M.  
14 PEREZ, et al.,

ORDER

15 Defendants.  
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17 Plaintiff is a state prisoner prosecuting this civil rights action without counsel. Pursuant  
18 to the June 14, 2006, schedule, plaintiff's pretrial statement is due March 2, 2007, defendants'  
19 pretrial statement is due March 16, 2007, pretrial conference is set for March 23, 2007, and trial  
20 is set for June 13, 2007. Because defendants' motion for summary judgment is pending, the  
21 above dates are vacated. *See* Fed. R. Civ. P. 16(b).

22 On January 8, 2007, plaintiff filed a motion for a preliminary injunction. It appears to the  
23 court that plaintiff is complaining of inability to access the law library in order to research,  
24 compose and file an opposition to defendants' motion for summary judgment. Good cause  
25 appearing, plaintiff is relieved of the obligation to file an opposition until the court rules on his  
26 motion for a preliminary injunction. Defendants are directed to respond to plaintiff's motion.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The dates set forth in the June 14, 2006, scheduling order are vacated;

3 2. Plaintiff is temporarily relieved of his obligation to file an opposition to defendants'  
4 motion for summary judgment until such time as the court rules upon his motion for preliminary  
5 injunction; and

6 3. Defendants are directed to file a response to plaintiff's January 18, 2007, motion for a  
7 preliminary injunction within 20 days of the service of this order.

8 Dated: March 14, 2007.

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11 EDMUND F. BRENNAN  
12 UNITED STATES MAGISTRATE JUDGE  
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